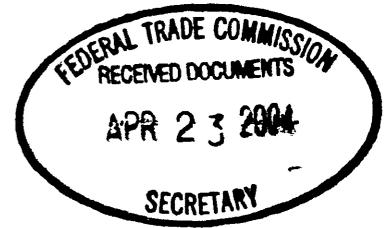


16 April 2004

Insight Resources
7 Wigam Court
Albany Creek Qld 4035
Australia

001111



Federal Trade Commission/Office of the Secretary
Room 159-H
600 Pennsylvania Avenue, N.W.
Washington, D.C.
20580

Re: CAN-SPAM Act Rulemaking, Project No. R411008

To the Commissioners,

I appreciate the "CAN-SPAM" initiatives to address the serious issue of unsolicited bulk email. However, I believe there are far too many problems with the proposed requirement for merchants to maintain suppression lists.

This will seriously harm legitimate internet publishers rather than solve the "spam" problem. These legitimate publishers currently require specific permission from the consumer before they add them to any email list. I am certain that CAN-SPAM was not intended to damage these genuine internet businesses, but that is the probable effect of the current proposal.

It will also not have the desired effect for the vast majority of consumers. There are many reasons why consumers may want to be removed from an email list, and it is impossible to know which of these reasons initiated their request for removal. Many will end up being removed from lists that they really want to remain subscribed to. That is not a desirable outcome for the merchant, the publisher, or the consumer.

Implementation will cause major practicality problems too. For example, a subscriber who wants to temporarily be removed from even a single list to go on a holiday could lead to the need for entries in many, many suppression lists when the publisher is promoting multiple affiliate programs: a very common practice. Then when resuming subscription to that list on return from holiday, all those same merchants will have to update and re-distribute all their suppression lists again.

Also, have you genuinely considered the impact of suppression lists getting into the wrong hands? It could lead to an increase in spam rather than a decrease, and opens up the potential for malicious attacks on targeted merchants as well.

In light of the range of very severe problems this ruling could cause, I urge you to seriously review the far-reaching consequences before any further consideration of mandating the use of suppression lists.

Respectfully,

A handwritten signature in black ink, appearing to read "Darryl West".

Darryl West
Insight Resources
Australia